

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2280

S.P. 995

In Senate, March 25, 2024

An Act to Strengthen Maine's Workforce Through Preapprenticeship Training Programs

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIPPING of Penobscot.
Cosponsored by Speaker TALBOT ROSS of Portland and
Senators: DAUGHTRY of Cumberland, DUSON of Cumberland, ROTUNDO of
Androscoggin, Representative: ROEDER of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §2033, sub-§1, ¶A-1**, as enacted by PL 2023, c. 184, §2, is
3 amended to read:

4 A-1. "~~Certified~~ Registered preapprenticeship training program" means a
5 preapprenticeship training program ~~certified~~ registered by the Maine Apprenticeship
6 Program pursuant to section 3213.

7 **Sec. 2. 26 MRSA §2033, sub-§6, ¶A**, as amended by PL 2023, c. 184, §5, is further
8 amended by amending the last blocked paragraph to read:

9 Registered apprentices and individuals participating in a plan that includes a ~~certified~~
10 registered preapprenticeship training program approved pursuant to subsection 4 are
11 eligible for services under this subsection, including those necessary to participate in
12 any on-the-job learning component of the program, as long as the registered
13 apprentices and individuals meet the requirement of subsection 5, paragraph C.

14 **Sec. 3. 26 MRSA §3209, sub-§4, ¶A**, as amended by PL 2021, c. 705, §11, is
15 further amended to read:

16 A. Developing, approving and registering new apprenticeship programs and ~~certifying~~
17 registering preapprenticeship training programs;

18 **Sec. 4. 26 MRSA §3213**, as enacted by PL 2021, c. 705, §12, is amended to read:

19 **§3213. Preapprenticeship training programs**

20 **1. Application; eligibility.** A sponsor may apply with the Maine Apprenticeship
21 Program for review and ~~certification~~ registration of a preapprenticeship training program.

22 **2. Eligibility.** To be eligible for ~~certification~~ registration, a preapprenticeship training
23 program must:

24 A. Meet the requirements of this section and any rules adopted by the department
25 under this section;

26 B. Have a documented outreach plan to increase registered apprenticeship
27 opportunities for underrepresented, disadvantaged or low-skilled individuals and
28 members of historically marginalized communities;

29 C. Conform to standards identified by the United States Department of Labor for a
30 quality framework for preapprenticeship;

31 D. Comply with state and federal law regarding equal employment opportunity in
32 apprenticeship and training;

33 E. Have a training program and curriculum based on industry standards and approved
34 by the Maine Apprenticeship Program, upon recommendation by the Maine
35 Apprenticeship Council, that will prepare individuals with the skills and competencies
36 needed to enter a registered apprenticeship program;

37 F. Have supervised hands-on training and workplace safety training; and

38 G. Have a formalized agreement with a registered apprenticeship sponsor that enables
39 preapprenticeship graduates to enter directly into a registered apprenticeship program

1 and includes articulation agreements for earning credit for skills and competencies
2 already acquired.

3 **3. Certification Registration.** The Maine Apprenticeship Program shall review an
4 application for ~~certification~~ registration of a preapprenticeship training program and shall
5 give a preapprenticeship training program that meets the standards for ~~certification~~
6 registration a provisional ~~certification~~ registration for a period of one year. The Maine
7 Apprenticeship Program shall review a preapprenticeship training program for quality and
8 conformity with the requirements of this section at the end of the first year after ~~certification~~
9 registration. A program that conforms to the requirements may have its provisional
10 ~~certification~~ registration made permanent or may continue to be provisionally ~~certified~~
11 registered through the first full training cycle.

12 **4. Evaluation.** The Maine Apprenticeship Program shall evaluate the performance of
13 a ~~certified~~ registered preapprenticeship training program. The evaluation must include:

- 14 A. An assessment of the preapprenticeship training program's educational content;
- 15 B. A review of the preapprenticeship training program's compliance with state and
16 federal law regarding equal employment opportunity in apprenticeship and training;
- 17 C. A review of the preapprenticeship training program's efforts to achieve equity goals
18 for recruitment and training of preapprentices from historically marginalized
19 communities; and
- 20 D. A summary of completion rates and rates of enrollment in and graduation from
21 registered apprenticeship programs following completion of the preapprenticeship
22 training program.

23 **5. Decertification Deregistration.** The Maine Apprenticeship Program may ~~decertify~~
24 deregister a preapprenticeship training program upon a finding of reasonable cause or by
25 request of the program.

26 **6. Funding.** As funds are available, the Maine Apprenticeship Program, through the
27 department, shall make available grants to support registered preapprenticeship training
28 programs under this section. A registered preapprenticeship training program shall use the
29 grants to provide meaningful support and stipends to facilitate enrollment and participation
30 in the program. Support may include funding for child care, transportation, training
31 materials, tools, personal protective equipment and reimbursement of other expenses that
32 may be incurred by ~~a student~~ an individual to facilitate the ~~student's~~ individual's attendance
33 and participation in the program and funding to facilitate an individual's readiness to
34 commence on-the-job learning in a registered apprenticeship program. Stipends may
35 include cash payments. In allocating grants among registered preapprenticeship training
36 programs, the Maine Apprenticeship Program shall give priority to programs that have
37 demonstrated successful engagement and enrollment of students and completion by
38 individuals from historically marginalized communities in registered preapprenticeship
39 training programs and successful placement and enrollment of and completion by
40 individuals from historically marginalized communities in registered apprenticeship
41 programs.

42 **7. Rulemaking.** The department shall adopt routine technical rules as defined in Title
43 5, chapter 375, subchapter 2-A to implement the provisions of this section.

44 **Sec. 5. Requirements for funding.**

1 **1. Administration; directed to certain training programs.** Funding provided by
2 this Act for grants to support registered preapprenticeship training programs is subject to
3 the provisions of the Maine Revised Statutes, Title 26, section 3213, subsection 6 and must:

4 A. Be administered and awarded to registered preapprenticeship training programs
5 with strong direct entry links with registered apprenticeship programs through a
6 competitive process administered by the Department of Labor through the Maine
7 Apprenticeship Program; and

8 B. Be directed to registered preapprenticeship training programs that train individuals
9 for priority sectors for high-wage, in-demand jobs.

10 **2. Majority of funding for certain training programs.** At least 51% of the funding
11 provided by this Act for grants to support registered preapprenticeship training programs
12 must support registered preapprenticeship training programs that have:

13 A. Demonstrated successful engagement and enrollment of and completion by
14 individuals from historically marginalized communities in registered preapprenticeship
15 training programs and successful placement and enrollment of and completion by
16 individuals from historically marginalized communities in registered apprenticeship
17 programs;

18 B. Consistently placed individuals in registered apprenticeship programs that result in
19 a total package value, as defined in the Maine Revised Statutes, Title 26, section 3201,
20 subsection 23-A, of no less than \$40 per hour upon graduation from the registered
21 apprenticeship program, based on Maine Apprenticeship Program evaluations as
22 required in Title 26, section 3204, subsection 2. On January 15, 2025 and each January
23 15th thereafter, the minimum total package value amount under this paragraph then in
24 effect must be increased by the increase, if any, in the cost of living. The increase in
25 the cost of living must be measured by the percentage increase, if any, as of August of
26 the previous year over the level as of August of the year preceding that year in the
27 Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the
28 Northeast Region, or its successor index, as published by the United States Department
29 of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the
30 minimum total package value increase rounded to the nearest multiple of 5¢; and

31 C. Demonstrated the provision of strong, comprehensive support services essential to
32 ensure success.

33 Funding provided by this Act for grants to support registered preapprenticeship training
34 programs may also be used for registered preapprenticeship training program development,
35 support and staffing for grantees.

36 **Sec. 6. Transfer from General Fund unappropriated surplus; Department**
37 **of Labor, Maine Apprenticeship Program, fiscal year 2024-25.** Notwithstanding
38 any provision of law to the contrary, the State Controller shall transfer \$12,000,000 from
39 the unappropriated surplus of the General Fund to the Maine Apprenticeship Program,
40 Other Special Revenue Funds account within the Department of Labor on or before June
41 30, 2025 to support grants for registered preapprenticeship training programs.

42 **Sec. 7. Appropriations and allocations.** The following appropriations and
43 allocations are made.

1 training programs that train individuals for priority sectors for high-wage, in-demand jobs
2 and may be used for registered preapprenticeship training program development, support
3 and staffing for grantees. At least 51% of these funds must support registered
4 preapprenticeship training programs that have demonstrated successful engagement and
5 enrollment of and completion by individuals from historically marginalized communities
6 in registered preapprenticeship training programs and successful placement and enrollment
7 of and completion by individuals from historically marginalized communities in registered
8 apprenticeship programs; that have consistently placed individuals in registered
9 apprenticeship programs that lead to jobs that pay no less than \$40 per hour, including
10 benefits, indexed for inflation; and that have demonstrated the provision of strong,
11 comprehensive support services essential to ensure success.